

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

TUESDAY, MARCH 7, 1989

AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 10:24 a.m. The meeting was recessed by Mayor O'Connor at 11:34 p.m. into Closed Session in the twelfth floor conference room to discuss pending litigation, to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor O'Connor at 2:08 p.m. with Council Members Roberts, McColl, and Henderson not present. The meeting was recessed by Mayor O'Connor at 3:26 p.m. The meeting was reconvened by Mayor O'Connor at 3:34 p.m. with Council Members Struiksmas, Henderson, and McCarty not present. Mayor O'Connor recessed the meeting at 6:01 to meet in Closed Session in the twelfth floor conference room on pending litigation. The meeting was reconvened by Mayor O'Connor at 6:36 p.m. with Council Member Roberts not present to meet jointly as the Council and the Redevelopment Agency. Mayor O'Connor adjourned the meeting at 7:17 p.m. to meet in Closed Session on March 20, 1989, at 1:00 p.m. to discuss pending litigation, potential litigation and the possible acquisition of property.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
 - (1) Council Member Wolfsheimer-present
 - (2) Council Member Roberts-present
 - (3) Council Member McColl-present
 - (4) Council Member Pratt-present
 - (5) Council Member Struiksmas-present
 - (6) Council Member Henderson-present
 - (7) Council Member McCarty-present
 - (8) Council Member Filner-present
- Clerk-Abdelnour, Fishkin (tm,eb)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present

- (3) Council Member McColl-not present
- (4) Council Member Pratt-present
- (5) Council Member Struiksmma-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

Mar-7-1989

ITEM-310: WELCOMED

Welcoming 16 international military officers from the Fleet Intelligence Training School who will attend this meeting accompanied by Lt. Gail Gross-Homek. This group will arrive at approximately 10:00 a.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A004-013.)

Mar-7-1989

ITEM-311: WELCOMED

Welcoming 20 students from Sherman Elementary School who will attend this meeting accompanied by their Vice-Principal, Dennis Doyle. This group will arrive at approximately 10:30 a.m.
(District-8.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A154-188.)

ITEM-330:

Five actions relative to the Improvement of Project First Class Alley and Sewer Replacement - Contract No. 4 (Improvement Act of 1911):
(Southeast San Diego Community Area. District-4.)

Subitem-A: (R-89-1358) ADOPTED AS RESOLUTION R-273007

Resolution of Feasibility for the Improvement of Project First Class Alley and Sewer Replacement - Contract No. 4, under the provisions of the San Diego Municipal Code and the Improvement Act of 1911.

Subitem-B: (R-89-1359) ADOPTED AS RESOLUTION R-273008

Ordering the work for the Improvement of Project First Class Alley and Sewer Replacement - Contract No. 4.

Subitem-C: (R-89-1360) ADOPTED AS RESOLUTION R-273009
Approving the City Engineer's Report.

Subitem-D: (R-89-1361) ADOPTED AS RESOLUTION R-273010
Adopting the Plans and Specifications.

Subitem-E: (R-89-1362) ADOPTED AS RESOLUTION R-273011
Inviting sealed proposals for bids.

CITY MANAGER SUPPORTING INFORMATION: The Project First Class Alley and Sewer Replacement - Contract No. 4 is the fourth project in the Project First Class area to be considered by Council under the CDBG - Assessment District cost sharing concept. The cost sharing concept is based on CDBG funds being used to finance 50 percent of the alley improvements regardless of the income or residency status of the benefiting property owners. The remaining 50 percent of the alley improvement cost will be assessed to the benefiting parcels with CDBG funds being utilized to pay the assessments for owner-occupants who meet HUD income guidelines. Property owners who do not qualify may pay the remaining 50 percent over a period of ten years. The proposed improvements to the five alleys included in this contract consist of clearing, grubbing, grading, paving, curb, retaining wall, storm drain and sewer main replacement improvements. There are 82 parcels involved and 46 of them are owner-occupied. All property owners have been notified of the proposed improvements and given information regarding the assessment payment program. The cost of the sewer main replacements will be paid from Water Utility Department sewer annual allocation funds. The cost of the street paving will be paid for with CDBG funds.

FILE LOCATION: STRT - D-2279

COUNCIL ACTION: (Tape location: B285-327;C052-073.)

Hearing began at 11:30 p.m. and recessed at 11:34 p.m.

Testimony in favor by Doris Gentry, Juanita Chase, and Kathryn Varner.

Hearing resumed 2:13 p.m. and halted 2:14 p.m.

MOTION BY PRATT TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-331: (R-89-) RETURNED TO PLANNING DEPARTMENT

(Continued from the meetings of August 9, 1988, Item 335,
September 20, 1988, Item 341 and December 13, 1988, Item

337; last continued at Attorney Worley's request.)

Appeal of Mr. & Mrs. Bernard Flynn by Donald R. Worley, Attorney, from the decision of the Historical Site Board in the historical designation of the Citrus/Pacific Soap Factory. The subject property is located at 301 West Market Street in the Centre City Community Plan area. (District-8.)

Adoption of a Resolution approving or denying the appeal and approving or denying the historical designation of the Citrus/Pacific Soap Factory with appropriate findings to support Council action.

FILE LOCATION: GEN'L - Historical Site Board Decisions and Appeals, etc.

COUNCIL ACTION: (Tape location: A013-028.)

MOTION BY FILNER TO RETURN TO THE PLANNING DEPARTMENT FOR SIX MONTHS AT THE REQUEST OF RON BUCKLEY TO GIVE THE APPLICANT A CHANCE TO SELL THE PROPERTY. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-332:

Request to amend the North City West Planned District Ordinance to add medical offices to the uses permitted (Scripps Medical Offices). The subject property is located at the southeastern corner of the intersection of High Bluff Drive and El Camino Real, and is further described as Lot 33, Employment Center Unit 2C, Map-11460, in the Employment Center Zone, in the North City West Community Plan area. (Case-88-0505. District-1.)

Subitem-A: (R-89-1442) ADOPTED AS RESOLUTION R-273006

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-88-0505 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-89-163) INTRODUCED, TO BE ADOPTED MARCH 20, 1989

Introduction of an Ordinance amending the San Diego Municipal Code, Chapter X, Article 3, Division 6, relating

to the North City West Planned District.

FILE LOCATION: LAND - North City West Planned District

COUNCIL ACTION: (Tape location: A039-139.)

Hearing began at 10:29 a.m. and halted at 10:37 a.m.

Testimony in favor by Stephen Doyle.

Testimony in opposition by Mark DiIorio.

MOTION BY WOLFSHEIMER TO APPROVE. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-333: (R-89-1629) CONTINUED TO MARCH 20, 1989

In the matter of making appropriate findings in connection with the granting of a variance for side yard setback and a satellite permit, as contained in Sycamore/San Diego Investors v. City of San Diego and Sorrento Valley Industrial Partners and Qualcomm, Inc., as Real Party in Interest.

FILE LOCATION: ZONE - Zoning Appeals C-19865

COUNCIL ACTION: (Tape location: A028-039; A139-154.)

MOTION BY HENDERSON TO CONTINUE FOR TWO WEEKS TO ALLOW TIME FOR THE CITY ATTORNEY'S OFFICE TO MEET WITH THE APPLICANT AND REVIEW THE FINDINGS. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-334: (O-89-175) INTRODUCED, TO BE ADOPTED MARCH 20, 1989

A proposal to adopt an Interim Ordinance requiring a Planned Residential Development Permit or Conditional Use Permit for most multi-family residential development, a Planned Commercial Development Permit for commercial development excluding minor additions or interior modifications and prohibiting the establishment, alteration or enlargement of a business with drive-thru facilities within the Golden Hill Community Plan area. The City Council may also consider revisions to other commercial regulations as recommended by the Planning Commission. This ordinance would be in effect until the revised Golden Hill Planned District Ordinance is adopted and in effect. (Districts-4 & 8.)
Introduction of an Interim Ordinance.

FILE LOCATION: LAND Golden Hill Community Plan

COUNCIL ACTION: (Tape location: F382-599.)

Hearing began 4:47 p.m. and halted 4:59 p.m.

Testimony in opposition by James Lantry.

MOTION BY FILNER TO INTRODUCE THE ORDINANCE. Second by Pratt.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-nay, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-335:

Appeals of Pacific Furlough Facility, by Michel Anderson; Earlie E. Williams; Yvette Rico; Dolores M. Celia; and Barrio Station, Inc., by Rachael Ortiz, from the decision of the Planning Commission in approving, with amendments, Conditional Use Permit CUP-88-0817 which proposes a work furlough facility in an existing 9,000 square-foot building and an associated off-site parking lot.

The subject property is 14,000 square feet located at 2727 Boston Avenue and is further described as Lots 13-16, Block 19, Reed and Hubbels Addition, Map-327. The subject parking lot site is 6,000 square feet located at 2328 Newton Avenue and is further described as Lots 7 and 8, Block 125 of San Diego Land and Town Company's Addition, Map-379. The existing building is in Zone Area B and the parking lot is in Zone Area A, both in the Barrio Logan Planned District in the Barrio Logan Community Plan area. (CUP-88-0817. District-4.)

19890307

Subitem-A: (R-89-1883) ADOPTED AS RESOLUTION R-273012

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-88-0817 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-89-1884) DENY APPEAL, GRANTED PERMIT
ADOPTED AS RESOLUTION R-273013

Adoption of a Resolution granting or denying the appeal and granting or denying the permit, with appropriate findings to support Council action.

FILE LOCATION:

Subitems A and B PERM CUP-88-0817

COUNCIL ACTION: (Tape location: D409-F375.)

Hearing began 3:20 p.m. and recessed 3:26 p.m.

Hearing resumed 3:34 p.m. and halted 4:47 p.m.

Testimony in favor by Michel Anderson.

Council Members McCarty, Henderson, and Struiksma entered 3:35 p.m.

Testimony continued in favor by Michel Anderson, Ernest Wright, Sr., Del Stevens, and Alice Castelo.

Testimony in opposition by Jerry Dawson, Dolores Celia, Juan Medina, Laura Carrillo, and Verna Quinn.

The hearing was closed.

Motion by Filner to direct the City Attorney to work with the courts and local judges for referrals to be made only to those facilities that are approved, direct the Planning Department to try to get unlicensed facilities out of the neighborhood, and deny the Conditional Use Permit for Pacific Furlough. Second by McCarty for the purpose of discussion. Failed by the following vote: Wolfsheimer-nay, Roberts-nay, McColl-yea, Pratt-nay, Struiksma-yea, Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-nay.

MOTION BY ROBERTS+TO+ADOPT SUBITEMS A AND B, DENYING THE APPEAL AND GRANTING THE PERMIT SUBJECT TO THE CONDITIONS BY THE PLANNING COMMISSION AND SUBJECT TO THE APPROVAL OF THE ALTERNATIVE

PARKING

LOT BY THE PLANNING DEPARTMENT, DIRECT THE PLANNING DEPARTMENT TO

COME BACK WITH A LIST OF FACILITIES WHICH ARE NOT IN COMPLIANCE AND BRING THEM FORWARD FOR HEARING AND MAKE A STRONG EFFORT TO REDUCE THE NUMBER OF RESIDENTIAL CARE UNITS IN THE BARRIO LOGAN AREA AND DIRECT THE CITY MANAGER AND CITY ATTORNEY TO NOTIFY THE JUDGES AND THE COURTS WHEN THERE IS A VIOLATION OF A CONDITIONAL USE PERMIT. Second by Henderson. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-nay, Pratt-yea, Struiksma-nay, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-336:

Appeal of Rancho Bernardo Swim and Tennis Club, by Howard Ayers, President of the Board of Directors, from the decision of the Planning Commission in approving an amendment, with modifications, to Conditional Use Permit CUP-5002. This amendment would develop two tennis courts, expand the existing northwest parking lot and add a new parking area (44 spaces) to be located in the central

portion of the club property. The subject property (10.32-acres) is located on the north side of Rancho Bernardo Road, west of Pomerado Road, south of Frontera Road and east of Bernardo Oaks Drive, and is further described as Lot 1 of Map-5203, in Zone R1-5000, in the Rancho Bernardo Community Plan area. (CUP-88-0577. District-1.)

19890307

Subitem-A: (R-89-1881) ADOPTED AS RESOLUTION R-273014

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-88-0577 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-89-1882) ADOPTED AS RESOLUTION R-273015
GRANTING THE APPEAL AND GRANTING
THE PERMIT

Adoption of a Resolution granting or denying the appeal and granting or denying the permit, with appropriate findings to support Council action.

FILE LOCATION:

Subitems A and B PERM CUP-5002

COUNCIL ACTION: (Tape location: G007-219.)

Hearing began 5:00 p.m. and halted 5:17 p.m.

Testimony in favor by Everett Dahlquist.

Testimony in opposition by Norman Pearson and Anne Sullivan.

MOTION BY WOLFSHEIMER TO ADOPT SUBITEMS A AND B, GRANTING THE APPEAL AND THE PERMIT WITH THE CONDITIONS: 1) GRANTING THE 41

NEW SPACES, BUT NOT THE 6 IN THE NORTHEAST PARKING LOT, 2)

DELETING THE EXTRA EXIT, 3) ADDING 2 NEW TENNIS COURTS, 4)

MAKING SURE THE TENNIS COURTS AND THE PARKING LOT ARE COMPLETED CONCURRENTLY, 5) MAKING CERTAIN THAT THE PARKING AGREEMENT WITH

THE CHURCH NEXT DOOR SATISFIES THE PLANNING DIRECTOR, 6) SOME

TREE REMOVAL BE REPLACED BY LANDSCAPING AND THAT LANDSCAPING

WILL REPLACE THE CHAIN LINK FENCE, 7) LIGHTING OF THE TENNIS

COURT WILL BE APPROVED ON CONDITION OF APPROVAL OF THE COMMUNITY PLANNING GROUP WITH NOTICE AND OPPORTUNITY FOR THE COMMUNITY TO

BE HEARD, AND 8) EXHIBIT "A" OF THE CUP BE REVIEWED BY THE

PLANNING DEPARTMENT BEFORE FINAL APPROVAL. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-337:

Three actions relative to Front Street and First Avenue -
Extension to Harbor Drive:
(Centre City Community Area. District-8.)

19890307

Subitem-A: (R-89-1536) ADOPTED AS RESOLUTION R-273016

Declaring a one-way street northbound on First Avenue and a one-way street southbound on Front Street between Market Street and Harbor Drive; authorizing the installation of the necessary signs and markings; declaring that the regulations hereinabove imposed shall become effective upon the installation of such signs.

Subitem-B: (R-89-1535) ADOPTED AS RESOLUTION R-273017

Inviting bids for Front Street and First Avenue - Extension to Harbor Drive on Work Order No. 118812; authorizing the execution of a contract with the lowest responsible bidder; authorizing the transfer of \$120,000 from CIP-52-422, Black Mountain Road Bridge to CIP-52-363, Front Street and First Avenue - Extension to Harbor Drive; authorizing the City Auditor and Comptroller, upon receipt of \$673,300 from the Redevelopment Agent, to allocate these funds for the above purpose; authorizing the expenditure of not to exceed \$1,898,645 from CIP-52-363, Front Street and First Avenue - Extension to Harbor Drive, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves; authorizing the execution of an agreement with the Metropolitan Transit Development Board for track crossing improvements relative to the Front Street and First Avenue - Extension to Harbor Drive and existing Eighth Avenue crossing. (BID-0478/89)

Subitem-C: (O-89-11) FIRST HEARING HELD

First public hearing in the matter of:
Amending Ordinance O-17122, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1988-89 and

Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by increasing the Capital Improvements Program by adding \$700,300 to CIP-52-363.0, Front Street and First Avenue Extension to Harbor Drive.

NOTE: The second public hearing of the Ordinance in

Subitem C will be held on Monday, March 20, 1989.

CITY MANAGER SUPPORTING INFORMATION: This project provides for the extension of Front Street and First Avenue from Island Avenue to Harbor Drive to improve access to the Convention Center. The proposed improvements will provide new one-way, three lane, 40 foot concrete streets; provisions for bus accommodations; 20 foot sidewalk areas each side; street lighting; drainage facilities; traffic signals at Front Street/Harbor Drive and First Avenue/Harbor Drive; Front Street/"G" Street; and revisions of traffic signals at Front Street/Market Street; First Avenue/Market Street; a rubberized at-grade crossing over AT&SF railroad track; concrete at-grade crossing over MTDB tracks; and reconstruction of the Marriott Hotels entrance and exit to align with the new Harbor Drive intersections. The agreement with MTDB will provide that MTDB construct the proposed street improvements in conjunction with their LRT track realignment. In addition, MTDB would, under their contract with AT&SF, have a rubberized crossing installed at the AT&SF track. These construction costs would be reimbursed by the City and shall not exceed \$220,000. CCDC has requested that this project be expanded to complete the ultimate curb and street improvements between Island Avenue and Market Street to compliment their future developments. In addition, CCDC will participate in the construction of the traffic signals on Harbor Drive. The total estimated cost of this additional work is \$700,300 and would be paid by CCDC.

Aud. Cert. 8900674.

FILE LOCATION: Subitem-A MEET, Subitem-B W.O.118812,
CONT - L.R. Hubbard Construction Co., Inc.

Subitem-C --

COUNCIL ACTION: (Tape location: H318-353.)

MOTION BY HENDERSON TO APPROVE ITEMS 337 AND 339. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-yea, Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-338: (R-89-1635) ADOPTED AS RESOLUTION R-273018

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$250,000 (\$50,000 from Fund 18502 (Program Income) and \$200,000 from Fund 18525, Department 5886, Organization 8604, Object Account 4279) to the Redevelopment Agency, Fund No. 98300, Department No. 98300, Object Account No. 2001, Cost Account No. 4141, to cover the cost of hiring consultants to proceed with redevelopment activities in North Park.
(See draft Report from the Redevelopment Agency. Greater North Park Community Area. Districts 3 and 8.)
Aud. Cert. 8900688.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H435-661.)

MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-339: (R-89-1636) ADOPTED AS RESOLUTION R-273019

Authorizing the transfer of \$259,672.40 to the Redevelopment Agency, Fund 98200, Department 98200, Object Account 2001, Work Order 002001, Cost Account 4141, to cover the cost of hiring consultants to proceed with redevelopment activities in Mid-City from the following sources: \$66,247.40 from Fund 18502 (Program Income); \$100,000 from Fund 18523, Department 5636, Organization 3602; and \$93,425 from Fund 18519, Department 5713, Organization 1301.
(See draft Report from the Redevelopment Agency. Mid-City Community Area. Districts-3 and 8.)
Aud. Cert. 8900689.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H318-353.)

MOTION BY HENDERSON TO APPROVE ITEMS 337 AND 339. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-ineligible, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S500: (R-89-1418) CONTINUED TO THE COUNCIL WORKSHOP IN
APRIL

(Continued from the meetings of January 24, 1989, Item 335,
January 31, 1989, Item S502,

Subitem F, February 14, 1989,
Item 334,

Subitem C, and February 28, 1989, Item 333; last
continued at Council's request, due to lack of time.)
Establishing Council Policy 600-38 regarding Development
Monitoring.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: A188-B285.)

Hearing began at 10:41 a.m. and halted at 11:29 a.m.

Motion by Filner to adopt with conditions. No second.

MOTION BY McCARTY TO CONTINUE TO THE APRIL COUNCIL WORKSHOP AND
TO DIRECT STAFF TO DRAFT LETTERS TO CPC AND OTHER SPECIFIC
GROUPS AND TO GO OUT TO THE COMMUNITY PLANNING GROUPS AND
EXPLAIN THE PLAN AND GET INPUT FROM ALL DISTRICTS. Second by
Roberts. Passed by the following vote: Wolfsheimer-yea,
Roberts-yea, McColl-not present, Pratt-yea, Struiksmay-yea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S501:

(Continued from the meeting of February 28, 1989, Item 335,
at Council Member Pratt's request, to allow citizens to
attend the hearing.)

Two actions relative to High Rise Building Inspection
Fees:

(See City Manager Report CMR-89-49.)

Subitem-A: (O-89-153) CONTINUED TO APRIL 3, 1989
Introduction of an Ordinance amending Chapter V, Article 5,
of the San Diego Municipal Code, by amending Section
55.02.201, relating to Fire Code Full Cost Fee Recovery for
Inspections and Plan Check Services.

Subitem-B: (O-89-159) FIRST HEARING HELD, SECOND HEARING
TO BE HELD APRIL 3, 1989

First public hearing in the matter of:

Amending Ordinance O-17122 (New Series), as amended,
entitled "An Ordinance Adopting the Annual Budget for the
Fiscal Year 1988-89 and Appropriating the Necessary Money
to Operate the City of San Diego for said Fiscal Year" by
amending Document No. 00-17122-1, as amended and adopted
therein, by adding to the personnel authorization of the
Fire Department (120), Fire Prevention Program (12030), one
(1.00) Fire Prevention Inspector II position and

one-quarter (0.25) Clerical Assistant II position, for the High-Rise Inspections Program.

COMMITTEE ACTION: Reviewed by PSS on 2/15/89.

Recommendation to approve the City Manager's recommendation.

Districts 3, 4, 6 and 7 voted yea. District 2 not present.

FILE LOCATION:

Subitems A and B --

COUNCIL ACTION: (Tape location: C078-D399.)

MOTION BY STRUIKSMA TO AMEND THE ORDINANCE FOR SUBITEM-A TO EXEMPT FEES FOR RESIDENTIAL HIGH RISE BUILDINGS AND DIRECT THE CITY ATTORNEY TO BRING BACK IN AMENDED FORM ON APRIL 3, 1989, FOR INTRODUCTION. Second by Henderson. The vote was not taken at this time.

MOTION BY ROBERTS TO AMEND THE MOTION FOR THE CITY TO ABSORB THE COST OF THE FIRST INSPECTION AND FOR A FOLLOW-UP, IF NECESSARY, AND CHARGE A FEE FOR EVERY INSPECTION THEREAFTER FOR A VIOLATION, WHETHER THE BUILDING IS SPRINKLED OR NOT, FOR THE INTENT OF COST RECOVERY. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-nay, Henderson-nay, McCarty-yea, Filner-nay, Mayor O'Connor-nay.

The vote was taken on the motion by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-S502: (R-89-1641) ADOPTED AS RESOLUTION R-273020

(Continued from the meeting of February 28, 1989, Item S500, at Mr. McGrory's request, for further review.)

Adopting the revised Transportation Phasing Plan for the North City West Community.

(See City Manager Reports CMR-89-88 and CMR-89-26. District-1.)

NOTE: See Items S503, S504, and S505 for companion items.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G224-232.)

Hearing began 5:17 p.m. and halted 5:18 p.m.

MOTION BY WOLFSHEIMER TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S503: (R-89-1868) ADOPTED AS AMENDED AS RESOLUTION

19890307

(Continued from the meeting of February 28, 1989, Item S501, at Mr. McGrory's request, for further review.)

Adoption of an Allocation Plan for residential and commercial development in the North City West Community. (See City Manager Report CMR-89-69. District-1.)

NOTE: See Items S502, S504 and S505 for companion items.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G232-H318.)

Hearing began 5:18 p.m. and halted 6:05 p.m.

Council Member Henderson entered 5:30 p.m.

Testimony by Alan Perry.

MOTION BY McCOLL TO EXTEND THE TIME OF THE COUNCIL MEETING TO 6:00 P.M. Second by Wolfsheimer. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

Testimony in favor of continuance by James Lantry, Harry Mathis and Steve Zimmer.

Testimony opposed to continuance by Eugene Geritz, Marvin Gerst, and B.J. Davis.

Motion by Wolfsheimer to approve S503 and continue S504 for further review. Second by Henderson. No vote.

Mayor O'Connor in 5:50 p.m.

Testimony by Paul Robinson in opposition of the continuance.

Council Member Roberts left 5:54 p.m.

Testimony by Matt Peterson, B.J. Davis, Frank Knechtel, and Henry Reis.

MOTION BY WOLFSHEIMER TO APPROVE S503 EXCEPT FOR THE ALLOCATION ON ATTACHMENT 3 OF CMR-89-69 LISTED AS "OTHERS," AND APPROVE S504 AS IT PERTAINS TO NORTH CITY WEST AND CONTINUE PENASQUITOS AND NORTH UNIVERSITY CITY TO BE WORKED OUT WITH THE SMALLER DEVELOPERS. Second by Henderson. Passed by the following vote:

Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S504: (R-89-1622) CONTINUED TO JUNE 20, 1989

19890307

(Continued from the meeting of February 28, 1989, Item 339,

at Mr. McGrory's request, for further review.)
Amending Council Policy 600-36 regarding "Requirements for
Annual Adjustments to Facilities Benefit Assessments and
Prepayment of Assessments."

(See City Manager Report CMR-89-69.)

NOTE: See Items S502, S503 and S505 for companion items.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: G232-H318.)

Hearing began 5:18 p.m. and halted 6:05 p.m.

Council Member Henderson entered 5:30 p.m.

Testimony by Alan Perry.

MOTION BY McCOLL TO EXTEND THE TIME OF THE COUNCIL MEETING TO
6:00 P.M. Second by Wolfsheimer. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,

Struiksma-yea, Henderson-yea, McCarty-yea, Filner-not present,

Mayor O'Connor-not present.

Testimony in favor of continuance by James Lantry, Harry Mathis
and Steve Zimmer.

Testimony opposed to continuance by Eugene Geritz, Marvin Gerst,
and B.J. Davis.

Motion by Wolfsheimer to approve S503 and continue S504 for
further review. Second by Henderson. No vote.

Mayor O'Connor in 5:50 p.m.

Testimony by Paul Robinson in opposition of the continuance.

Council Member Roberts left 5:54 p.m.

Testimony by Matt Peterson, B.J. Davis, Frank Knechtel, and
Henry Reis.

MOTION BY WOLFSHEIMER TO APPROVE S503 EXCEPT FOR THE ALLOCATION
ON ATTACHMENT 3 OF CMR-89-69 LISTED AS "OTHERS," AND APPROVE
S504 AS IT PERTAINS TO NORTH CITY WEST AND CONTINUE PENASQUITOS
AND NORTH UNIVERSITY CITY TO BE WORKED OUT WITH THE SMALLER
DEVELOPERS. Second by Henderson. Passed by the following vote:

Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-yea,

Struiksma-yea, Henderson-yea, McCarty-yea, Filner-not present,

Mayor O'Connor-yea.

ITEM-S505: CONTINUED TO MARCH 20, 1989, 2:00 P.M.

(Continued from the meetings of November 15, 1988, Item
330, January 10, 1989, Item 333, January 23, 1989, Item 204
February 14, 1989, Item 337 and February 28, 1989, Item
340; last continued at Mr. McGrory's request, for further
review.)

Approval of the proposed Sorrento Hills Development
Agreement Case-88-0590 between the City of San Diego and

American Newland Associates et al. The agreement would apply to approximately 557 acres in the Sorrento Hills community. The development agreement is being proposed to meet a condition placed on an approved tentative subdivision map for the property. The primary purpose of the development agreement is to provide for the funding of public facilities through the owner's participation in the community's public facilities financing plan. The owner would agree to pay its fair share of fees or contribute facilities in lieu of payment as required by the public facilities financing plan for the community. The developer would also provide public improvements, facilities and services as required by the tentative subdivision map. The development agreement would assure the owner that the property could be developed in conformance with Sorrento Hills Community Plan; Zones M-IP, M-1B, R-1500 and A-1-1; PRD, PID and Tentative Map TM-84-0570; PRD-84-0518; Tentative Map TM-84-0519; HRP-183; and HRP and Tentative Map TM-83-0167 for the 20-year term of the agreement. Additional provisions are included in the draft development agreement.

The subject property is located on the east side of I-5 and I-805 between Carmel Valley and Rancho de Los Penasquitos Canyon. A brief legal description is as follows: portions of Sections 29, 30, 31, 32, 24 and 25, Township 14 South, Range 3 West, SBBM; Map Nos. 433, 36 and others and Record of Survey Maps. The specific legal description is on file in the City Planning Department.

(Case-88-0590. District-1.)

Subitem-A: (R-89-947)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-81-12-33 (Sorrento Hills) has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (R-89-923)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-82-0380, an Addendum to EIR-81-12-33, SCH No. 82022406, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said addendum to report has been reviewed and considered by the

Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-C: (R-89-921)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-83-0167, an Addendum to EIR-81-12-33, SCH No. 82022406, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said addendum to report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-D: (R-89-922)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-85-0101, an Addendum to EIR-81-12-33, SCH No. 82022406, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said addendum to report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-E: (R-89-610)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-88-0590, an Addendum to EIR-81-12-33, SCH No. 82022406, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said addendum to report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-F: (R-89-924)

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration

EMND-84-0518, an Addendum to EIR-81-12-33, SCH No. 82022406, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-G: (R-89-925)

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-84-0519, an Addendum to EIR-81-12-33, SCH No. 82022406, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-H: (R-89-926)

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-84-0520, an Addendum to EIR-81-12-33, SCH No. 82022406, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-I: (O-89-55)

Introduction of an Ordinance approving the development agreement.

NOTE: See Items S502, S503 and S504 for companion items.
FILE LOCATION:

Subitems A, B, C, D, E, F, G, and H DEVL
Sorrento Hills Development Agreement,

Subitem-I --

COUNCIL ACTION: (Tape location: C020-052.)

MOTION BY WOLFSHEIMER TO CONTINUE TO MARCH 20, 1989, 2:00 P.M.
AT HER REQUEST FOR FURTHER REVIEW. Second by Filner. Passed by
the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,
Pratt-yea, Struiksmay-yea, Henderson-not present, McCarty-yea,
Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

ITEM-ND-1: (R-89-1700) ADOPTED AS RESOLUTION R-273023

Authorizing the City Manager to execute a Memorandum of
Understanding with the San Diego County Water Authority
relating to the parties' shared concerns regarding the
proposed merger of Southern California Edison Company and
San Diego Gas & Electric Company and their response
thereto.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H353-435.)

MOTION BY HENDERSON TO ACCEPT THE ITEM FOR CONSIDERATION.
Second by McColl. Passed by the following vote:
Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-yea,
Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-nay, Mayor
O'Connor-yea.

MOTION BY HENDERSON TO ADOPT. Second by McColl. Passed by the
following vote: Wolfsheimer-yea, Roberts-not present,
McColl-yea, Pratt-yea, Struiksmay-yea, Henderson-yea,
McCarty-yea, Filner-nay, Mayor O'Connor-yea.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

ITEM-PC-2: REFERRED TO CITY MANAGER

Janet Graff commenting on her concerns about City owned
land adjacent to her property.

FILE LOCATION: Agenda

COUNCIL ACTION: (Tape location: I400-430.)

ITEM-CS-1: (R-89-1717) ADOPTED AS RESOLUTION R-273024

A Resolution adopted by the City Council in Closed Session
on March 7, 1989:

Authorizing the Auditor and Comptroller to reduce Resolution No. R-272453 by \$200,000, said sum presently set aside in the Allocated Reserve (901) and transfer said \$200,000 to the General Fund 100, Unallocated Reserve (605); transferring the sum of \$300,000 to the General Fund 100, Unallocated Reserve (605) for further transfer to the Allocated Reserve (901) via budget amendment ordinance to be processed on March 20, and April 3, 1989, authorizing the Auditor and Comptroller to transfer the sum of \$200,000 from the General Fund 100, Unallocated Reserve (605) to the Allocated Reserve for the purpose of defraying expenses in matters related to the Southern California Edison/San Diego Gas & Electric (SCE/SDG&E) proposed merger, authorizing the Auditor and Comptroller upon the enactment of the budget amendment ordinance on April 3, 1989, to expend the total amount of \$500,000 from the Unallocated Reserve (901), for the purpose of defraying expenses in matters related to the SCE/SDG&E proposed merger.

FILE LOCATION: MEET

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 7:17 p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: I433).